

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HELEN MEIMARIS, AS EXECUTRIX AND
LEGAL REPRESENTATIVE OF THE ESTATE
OF ALKIVIADES MEIMARIS, and HELEN
MEIMARIS,

Plaintiffs,

vs.

JOSEPH E. ROYCE, LAWRENCE A. BLATTE,
TULIO PRIETO, JAIME LEROUX, TBS
Shipping Services Inc., Guardian Navigation,
Services Inc., Gruposedei and Technisea,

Defendants.

18-cv-4363 (GBD)(BCM)

**NOTICE OF MOTION TO
DISMISS THIRD AMENDED
COMPLAINT AND FOR STAY OF
DISCOVERY**


Oral Argument Requested

PLEASE TAKE NOTICE that, upon the Affirmation of Mark D. Kotwick, dated October 1, 2018, and the exhibits attached thereto, the accompanying Memorandum of Law in Support of Motion to Dismiss Third Amended Complaint and for a Stay of Discovery and all of the prior pleadings and proceedings had herein, Defendants TBS Shipping Services Inc., n/k/a Defendant Guardian Navigation Services Inc., by and through their attorneys, Seward & Kissel LLP, will move this Court before the Honorable George B. Daniels, at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY 10007, at a time and date convenient for the Court, for an Order pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(1) and 12(b)(6) dismissing the Complaint, for a stay of discovery under Federal Rule of Civil Procedure 26(c), and for such other, further and different relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1, any opposition papers are due on October 15, 2018, and any reply papers are due within seven days after service of the answering papers.

Dated: New York, New York
October 1, 2018

SEWARD & KISSEL LLP

By 
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